

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Kenneth Shelton	Team: Squad #4	CCRB Case #: 201809209	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 10/26/2018 9:00 AM	Location of Incident: En route to the 60th Precinct stationhouse	Precinct: 60	18 Mo. SOL 4/26/2020	EO SOL 12/11/2020	
Date/Time CV Reported Sun, 10/28/2018 9:04 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 11/05/2018 11:04 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Mekubahdya Yisrael	24158	953592	060 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Juan Cifuentes	23830	928074	060 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Mekubahdya Yisrael	Abuse: Police Officer Mekubahyda Yisrael refused to provide his name to § 87(2)(b)	

Case Summary

On October 28, 2018, § 87(2)(b) called IAB and filed this complaint.

On October 26, 2018, at approximately 9 a.m., § 87(2)(b) was arrested in front of his home, located at § 87(2)(b) in Brooklyn, by PO Mekubahyda Yisrael of the 60th Precinct. While being transported to the 60th Precinct stationhouse, § 87(2)(b) allegedly requested PO Yisrael's name multiple times. PO Yisrael responded that he had arrested § 87(2)(b) before and allegedly did not provide his name (**Allegation A: Abuse of Authority-Refusal to provide name, § 87(2)(g)**).

§ 87(2)(b) was arrested for criminal contempt (BR 02).

There is no video footage of this incident.

Findings and Recommendations

Allegation A: Abuse of Authority – Police Officer Mekubahyda Yisrael refused to provide his name to § 87(2)(b)

It is undisputed that § 87(2)(b) was arrested in front of his home by PO Yisrael for § 87(2)(b) and that § 87(2)(b) complied. PO Yisrael then transported § 87(2)(b) to the stationhouse. It is also undisputed that PO Yisrael has arrested § 87(2)(b) for the same offense once before.

§ 87(2)(b) said (BR 03) that while being transported back to the stationhouse, he asked PO Yisrael for his name approximately three times. PO Yisrael responded that he had arrested § 87(2)(b) before and did not provide his name. § 87(2)(b) added that he recognized PO Yisrael but did not know his name at the time of the incident.

PO Yisrael said (BR 04) that when he approached § 87(2)(b) outside of his home, he identified himself before explaining to § 87(2)(b) that he would be arrested. PO Yisrael denied that § 87(2)(b) asked for his name during their interaction.

PO Cifuentes' (BR 05) statement was generally consistent with PO Yisrael's statement and he denied that § 87(2)(b) asked for PO Yisrael's name.

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been party (BR 01).
- PO Yisrael has been a member of service for six years and has been a subject in two CCRB complaints and three allegations, none of which were substantiated. PO Yisrael's CCRB history does not reflect any apparent pattern pertinent to this investigation.

Mediation, Civil and Criminal Histories

- § 87(2)(b) was not suitable for mediation.
 - According to the Office of Court Administration (OCA), § 87(2)(b) has no history of convictions in New York City (BR 06).
 - A FOIL request was submitted with the New York City Office of the Comptroller for a Notice of Claim on December 18, 2018, and will be added to the case file upon receipt (BR 07).
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